

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE *EX PARTE* APPLICATION OF TIBERIUS AG : ~~PROPOSED~~ ORDER
FOR AN ORDER TO OBTAIN DISCOVERY :
FOR USE IN A FOREIGN PROCEEDING : Misc. Action No. 19mc467
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Upon consideration of the *Ex Parte* Application of Tiberius AG (“Applicant”) for an order pursuant to 28 U.S.C. § 1782(a) allowing Applicant to conduct discovery for use in foreign legal proceedings, and the accompanying Memorandum of Law, the Declarations of Courtney Scott and Michael Meredith, and the documents attached thereto, in support of the Application,

IT IS HEREBY ORDERED that:

1. The Application is granted;
2. The Applicant is authorized to take discovery relating to issues identified in the Application and the supporting Memorandum of Law in accordance with the Federal Rules of Civil Procedure and the Rules of this Court, including by:
(i) serving on Citibank N.A., Deutsche Bank Trust Company Americas, JPMorgan Chase Bank N.A., Bank of New York Mellon, Bank of America, UBS AG and HSBC Bank USA N.A. (collectively, the "Domestic Banks") the subpoenas for production of documents attached to the Application as Exhibits A through G; and (ii) serving additional subpoenas on the Domestic Banks for the production of documents and/or depositions as Applicant reasonably determines to be appropriate;

3. This Court shall retain such jurisdiction as is necessary to enforce the terms of any subpoenas authorized under this Order.

Dated: November 6, 2019

SO ORDERED.

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive, flowing style with a large initial "V".

Vernon S. Broderick
United States District Judge